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13 GUARDIAN PROTECTION PRODUCTS, INC.  
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15 UNITED STATES DISTRICT COURT  
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17 EASTERN DISTRICT OF CALIFORNIA

18 GUARDIAN PROTECTION PRODUCTS, ) CASE NO. 1:20-CV-01680-SKO  
19 INC., a Delaware corporation, )  
20 Plaintiff, ) **STIPULATION AND ORDER TO  
21 vs. ) MODIFY SCHEDULING ORDER;  
22 G.P.P., INC. d/b/a GUARDIAN ) DECLARATION OF AARON P. RUDIN  
23 INNOVATIVE SOLUTIONS, a Pennsylvania ) IN SUPPORT  
24 corporation, )  
25 ) (Doc. 50)  
26 ) Complaint Filed: November 24, 2020  
27 ) Counterclaim Filed: February 22, 2021  
28 ) Trial: August 27, 2024  
29 ) Pre-Trial Conference: May 15, 2024  
30 )  
31 G.P.P., INC. d/b/a GUARDIAN )  
32 INNOVATIVE SOLUTIONS, a Pennsylvania )  
33 corporation, )  
34 ) Counterclaimant, )  
35 )  
36 vs. )  
37 )  
38 GUARDIAN PROTECTION PRODUCTS, )  
39 INC., a Delaware corporation, )  
40 ) Counter-defendant.)  
41 )**

42 Pursuant to the Court's modified Scheduling Order [Dkt. No. 49] and L.R. 143,  
43 Plaintiff/Counter-Defendant Guardian Protection Products, Inc. ("Guardian") and  
44 Defendant/Counterclaimant G.P.P. Inc. d/b/a Guardian Innovative Solutions ("GIS") hereby  
45 submit the following stipulation and proposed order to further modify the Scheduling Order.

1           WHEREAS, on April 16, 2021, this Court issued a Scheduling Order [Dkt. No. 30] in  
2 this matter;

3           WHEREAS, on October 14, 2021 the parties submitted a Stipulation and Proposed Order  
4 to modify the scheduling order [Dkt. No. 40], and on October 15, 2021, the Court modified the  
5 Scheduling Order [Dkt. No. 41];

6           WHEREAS, following a week-long trial, on December 13, 2021, this Court issued a final  
7 judgment [Dkt. No. 499] in the related case entitled *G.P.P., Inc. d/b/a Guardian Innovative*  
8 *Solutions v. Guardian Protections Products, Inc., et al.*, Case No. 1:15-cv-00321-SKO;

9           WHEREAS, on February 3, 2022, the parties submitted a Further Stipulation and  
10 Proposed Order to modify the scheduling order [Dkt. No. 42], and on February 4, 2022, the  
11 Court modified the Scheduling Order [Dkt. No. 43];

12           WHEREAS, on April 15, 2022, GIS filed a Notice of Appeal in the related matter [Dkt.  
13 No. 513];

14           WHEREAS, on April 22, 2022, Guardian filed a Notice of Appeal in the related matter  
15 [Dkt. No. 516];

16           WHEREAS, on August 3, 2022, the parties submitted a Further Stipulation and Proposed  
17 Order to modify the scheduling order [Dkt. No. 44], and on February 5, 2022, the Court modified  
18 the Scheduling Order [Dkt. No. 46]

19           WHEREAS, on September 12, 2022, GIS filed its Opening Brief for the Appeal in the  
20 related matter;

21           WHEREAS, on November 14, 2022, Guardian filed its Principal and Response Brief for  
22 the Appeal in the related matter;

23           WHEREAS, on January 13, 2023, GIS filed its Response and Reply Brief for the Appeal  
24 in the related matter;

25           WHEREAS, on January 30, 2023, the parties submitted a Further Stipulation and  
26 Proposed Order to modify the scheduling order [Dkt. No. 48], and on January 31, 2023, the  
27 Court modified the Scheduling Order [Dkt. No. 49] setting a May 29, 2024 Deadline to Request  
28 Settlement Conference and the following dates:

<b>Event</b>	<b>Continued Date</b>
Non-Expert Discovery	September 20, 2023
Expert Disclosures	October 24, 2023
Rebuttal Expert Disclosures	November 27, 2023
Expert Discovery	January 2, 2024
Non-Dispositive Motion Filing	January 2, 2024
Non-Dispositive Motion Hearing	February 7, 2024
Dispositive Motion Filing	February 14, 2024
Pretrial Conference	May 15, 2024 at 2:30 p.m.
Trial	August 27, 2024 at 8:30 a.m.

WHEREAS, on June 23, 2023, Oral Argument took place before the Ninth Circuit in the related matter;

WHEREAS, on July 3, 2023, the Ninth Circuit affirmed this court's entry of judgment;

WHEREAS, on July 25, 2025, the Ninth Circuit issued its Mandate;

WHEREAS, in an effort to avoid potential waste of judicial resources and those of parties, the parties awaited the Ninth Circuit decision in the related case before engaging in extensive litigation in this case;

WHEREAS, as of the filing of this stipulation, the parties have not completed the discovery process;

WHEREAS, absent an extension, the parties would be required to complete non-expert discovery in less than sixty days pursuant to the modified scheduling order entered on January 31, 2023;

WHEREAS, considering the Ninth Circuit's decision affirming the district court's judgment in the related case and issuing its mandate on July 25, 2023, the parties believe that an additional extension on the above deadlines is reasonable and necessary in order to provide the parties with adequate time to conduct and complete discovery, prepare any non-dispositive or

1 dispositive motions, and otherwise prepare for trial without unnecessarily straining the resources  
2 of both parties and their counsel;

3 WHEREAS, the parties have previously requested four extensions of time in this matter,  
4 with each extension premised on the appeal that was pending before the Ninth Circuit in the  
5 related matter and the parties do not anticipate they will need to seek any further extensions.

6 ACCORDINGLY, IT IS HEREBY STIPULATED and REQUESTED by the parties that  
7 the Scheduling Order [Dkt. No. 49] be further modified as follows:

Event	Proposed Date
Non-Expert Discovery	May 20, 2024
Expert Disclosures	June 17, 2024
Rebuttal Expert Disclosures	July 15, 2024
Expert Discovery	August 12, 2024
Non-Dispositive Motion Filing	August 12, 2024
Non-Dispositive Motion Hearing	September 18, 2024
Dispositive Motion Filing	September 25, 2024
Pretrial Conference	December 11, 2024
Trial	February 25, 2025

18 IT IS SO STIPULATED.

19 Dated: August 22, 2023

GORDON REES SCULLY MANSUKHANI, LLP

20 By: /s/ Aaron P. Rudin  
21 Calvin E. Davis  
22 Aaron P. Rudin  
23 Amanda A. Garcia  
24 Attorneys for Plaintiff and Counter-Defendant  
25 GUARDIAN PROTECTION PRODUCTS, INC.  
26  
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28

1 Dated: August 22, 2023

WILSON SONSINI GOODRICH & ROSATI

2  
3 By: /s/ Jason Mollick  
4 Dylan J. Liddiard  
5 Jason Mollick  
6 Attorneys for Defendant and Counter-  
7 Claimant G.P.P., INC. d/b/a GUARDIAN  
8 INNOVATIVE SOLUTIONS  
9 (as authorized on August 22, 2023)

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633 West Fifth Street, 52nd Floor  
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**ORDER**

Finding good cause therefore (Fed. R. Civ. P. 16(b)(4)), the parties' foregoing stipulation (Doc. 50) is hereby approved. Accordingly, IT IS HEREBY ORDERED that the operative case schedule (Doc. 49) is MODIFIED as follows:

Event	Prior Date	Continued Date
Non-Expert Discovery	September 20, 2023	May 20, 2024
Expert Disclosures	October 24, 2023	June 17, 2024
Rebuttal Expert Disclosures	November 27, 2023	July 15, 2024
Expert Discovery	January 2, 2024	August 12, 2024
Non-Dispositive Motion Filing	January 2, 2024	August 12, 2024
Non-Dispositive Motion Hearing	February 7, 2024	September 18, 2024
Dispositive Motion Filing	February 14, 2024	September 18, 2024 <sup>1</sup>
Dispositive Motion Hearing	n/a	October 23, 2024
Deadline to Request Settlement Conference	May 29, 2024	November 27, 2024
Pretrial Conference	May 15, 2024, at 2:30 p.m.	December 18, 2024, at 2:30 p.m. <sup>2</sup>
Trial	August 27, 2024, at 8:30 a.m.	February 25, 2025, at 8:30 a.m.

IT IS SO ORDERED.

Dated: August 24, 2023

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> The Court advances the dates surrounding the dispositive motions in order to afford the parties time to prepare for the pre-trial conference.

<sup>2</sup> The date for the pre-trial conference is continued pursuant to the Court's schedule.